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General Assembly
Sixty-fifth session

Official Records

75th plenary meeting
Friday, 28 January 2011, 10 a.m.
New York

President: Mr. Deiss ..... (Switzerland)

In the absence of the President, Mr. Kleib (Indonesia), Vice-President, took the Chair.

The meeting was called to order at 10.20 a.m.

Agenda item 133 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (A/65/691/Add.1)

The Acting President: Before proceeding to the items on the agenda, I should like, in keeping with established practice, to draw the attention of the General Assembly to document A/65/691/Add.1, in which the Secretary-General informs the President of the Assembly that, since the issuance of his communication contained in document A/65/691, Zimbabwe has made the necessary payment to reduce its arrears to below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly takes due note of the information contained in document A/65/691/Add.1?

It was so decided.

Agenda item 69 (*continued*)

Strengthening of the coordination of emergency humanitarian assistance of the United Nations, including special economic assistance

(a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations

Draft resolution (A/65/L.59)

The Acting President: Members will recall that, at its 66th and 67th plenary meetings, held on 15 December 2010, the Assembly considered agenda item 69 and its sub-items (a) to (d).

I now give the floor to the representative of Argentina to introduce draft resolution A/65/L.59.

Mr. Argüello (Argentina) (*spoke in Spanish*): I have the honour to address the General Assembly on behalf of the Group of 77 (G-77) and China to introduce the draft resolution contained in document A/65/L.59.

I would first like to express the gratitude of the Group of 77 and China to Mrs. Isaura Duarte-Rodríguez of Colombia, who successfully coordinated the negotiations on the draft resolution. I would also like to thank all delegations for their active participation in the negotiations. I am also pleased to announce that Mexico and Japan have become sponsors of the draft resolution.

(*spoke in English*)

As in previous sessions, the G-77 and China have this year submitted the draft resolution entitled "International cooperation on humanitarian assistance in the field of natural disasters, from relief to development".

The G-77 and China believe that humanitarian assistance should not only provide relief but also contribute to rebuilding the social fabric of affected

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populations, and that its sustainability after an emergency should be ensured. Emergency assistance must be provided in ways that will be supportive of recovery and long-term development.

Moreover, efforts to reduce disaster risks must be integrated into programmes for sustainable development, with a view to reducing poverty and achieving the Millennium Development Goals.

The massive losses of life and property caused by natural disasters in developing countries make clear the need to support their capacity-building efforts through international cooperation. In that regard, strengthened coordination among United Nations agencies and Governments would help to ensure a more efficient response to disasters, without duplication of efforts.

The Group of 77 and China reiterates its commitment to the guiding principles set forth in the annex to resolution 46/182, of 19 December 1991, as the framework for the provision of United Nations humanitarian assistance. Those principles, which include neutrality, humanity, impartiality and independence, should remain the basis for all responses to humanitarian emergencies. We also emphasize the primary role of the affected State in the initiation, coordination and implementation of humanitarian assistance.

Financial support is the backbone of humanitarian work. Therefore, strengthening both United Nations and non-United Nations funding mechanisms for humanitarian assistance and ensuring timely, predictable, adequate and flexible funding for emergencies arising from natural disasters are essential for effective responses. In that regard, we welcome the financial pledges made during the high-level conference on the Central Emergency Response Fund held in December 2010.

The Group engaged constructively during the negotiations on the draft resolution, integrating to the extent possible the different views and proposals expressed by our partners while trying to preserve the driving spirit of the draft resolution. We look forward to its adoption by consensus.

The Acting President: We shall now proceed to consider draft resolution A/65/L.59. Before giving the floor to the speaker in explanation of position, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. Mercado (United States of America): The United States is pleased to again join the consensus on this year's draft resolution entitled "International cooperation on humanitarian assistance in the field of natural disasters, from relief to development" (A/65/L.59). We reaffirm the importance of international assistance in supporting the efforts of affected countries to overcome the impact of natural disasters.

We share the view that the international community should intensify efforts, not only by strengthening disaster preparedness activities to prevent or minimize the impact of natural disasters but also by developing and enhancing the national and local response capacities of countries affected by natural disasters and improving international coordination in the timely provision of humanitarian assistance.

We support the intent of paragraph 6, but would have preferred a revision to improve its accuracy and clarity. We have some concerns about language in the draft resolution, which states that global climate change, among other factors, contributes to the increase in intensity and frequency of natural disasters. We interpret the text in question to be intended to reflect the actual state of climate science, including that climate change may contribute to future increases in the frequency and/or intensity of weather-related hazards.

We would have preferred more technically accurate and precise language in the draft resolution, and hope to see more precise language in the future.

The Acting President: We have heard the only speaker in explanation of position.

The Assembly will now take a decision on draft resolution A/65/L.59, entitled "International cooperation on humanitarian assistance in the field of natural disasters, from relief to development". I give the floor to the representative of the Secretariat.

Mr. Botnaru (Department of General Assembly and Conference Management): I would like to announce that, since its issuance, the Russian Federation has become a sponsor of the draft resolution contained in document A/65/L.59.

The Acting President: May I take it that it is the wish of the General Assembly to adopt draft resolution A/65/L.59?

Draft resolution A/65/L.59 was adopted (resolution 65/264).

The Acting President: The Assembly has thus concluded this stage of its consideration of sub-item (a) of agenda item 69.

Agenda item 113 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(g) Appointment of a judge of the United Nations Appeals Tribunal

Memorandum by the Secretary-General (A/65/679)

The Acting President: As indicated in document A/65/679, the General Assembly is required, at its sixty-fifth session, to appoint a judge to the Appeals Tribunal to serve the remainder of the seven-year term of Judge Rose Boyko, which commenced on 1 July 2009. Judge Boyko resigned her position as judge of the Appeals Tribunal, effective 15 January 2011.

As also indicated in document A/65/679, in accordance with article 3 (2) of the statute of the Appeals Tribunal, its judges shall be appointed by the General Assembly on the recommendation of the Internal Justice Council in accordance with resolution 62/228, and no two judges shall be of the same nationality.

The names of the candidates recommended for appointment to the Appeals Tribunal are contained in document A/65/671.

In order to be eligible for appointment, article 3 (3) of the statute of the Appeals Tribunal requires that a person be of high moral character and possess at least 15 years of judicial experience in the field of administrative law, or the equivalent within one or more national jurisdictions.

In document A/65/679, it is proposed that the General Assembly proceed to appoint a judge of the Appeals Tribunal by way of an election, bearing in mind paragraph 58 of resolution 63/253, in which the Assembly invited Member States, when electing judges to the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, to take due consideration of geographical distribution and gender balance.

If there is no objection, I shall take it that the General Assembly agrees to the proposal?

It was so decided.

The Acting President: Consistent with the practice of the General Assembly, the candidate who obtains the largest number of votes and a majority of the votes of those present and voting shall be considered elected, and thereby appointed by the Assembly to the Appeals Tribunal. Also, balloting shall continue, in accordance with the rules of procedure of the General Assembly, until one candidate has obtained, in one or more ballots, a majority of votes of the members present and voting. In the case of a tie vote, we will proceed to the drawing of lots in accordance with rule 93 of the rules of procedure.

May I take it that the General Assembly agrees to those procedures?

It was so decided.

The Acting President: The General Assembly will now proceed to the election of a judge of the United Nations Appeals Tribunal.

Only those candidates whose names appear on the ballot papers are eligible for election. Representatives are requested to indicate the candidate for whom they wish to vote by placing a cross to the left of the name of the candidate on the ballot paper. Each representative may vote for not more than one candidate.

The election will be held in accordance with the relevant rules of procedure of the General Assembly. Therefore, in accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot and there shall be no nominations.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

We shall now begin the voting process. Members are requested to remain seated until all ballots have been collected.

Ballot papers will now be distributed. May I request representatives to indicate the candidate for

whom they wish to vote by placing a cross to the left of the name of the candidate on the ballot paper?

May I also remind representatives that they may vote for not more than one candidate. A ballot will be declared invalid if more than one name is marked.

At the invitation of the Acting President, Ms. Molné Casajuana (Andorra), Mr. De Millo Terrazzani (Monaco), Ms. Kramberger Mendek (Slovenia), Mr. Manar Taleb (Syrian Arab Republic) and Mr. Kang'ombe (Zambia) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 10.50 a.m. and resumed at 11.15 a.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	135
Number of invalid ballots:	0
Number of valid ballots:	135
Abstentions:	1
Number of members voting:	134
Required majority:	68
Number of votes obtained:	
Ms. Mary Faherty (Ireland)	52
Mr. Brian Tamberlin (Australia)	48
Mr. Roy Lewis (United Kingdom of Great Britain and Northern Ireland)	34

Since no candidate has obtained the required majority, the Assembly will proceed to a second round of balloting restricted to the two candidates who were not elected but obtained the largest number of votes in the ballot. In accordance with rule 93 of the rules of procedure, we shall therefore proceed to the first restricted ballot.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

We shall now begin the voting process. Ballot papers will now be distributed. All candidates whose names appear on the ballot papers are eligible. May I request representatives to indicate the candidate for whom they wish to vote by placing a cross against his or her name on the ballot paper. May I also remind representatives that they may vote for not more than one candidate for appointment to the Appeals Tribunal. A ballot will be declared invalid if more than one name is marked. Votes may only be cast for those whose names appear on the ballot papers.

At the invitation of the President, Ms. Molné Casajuana (Andorra), Mr. De Millo Terrazzani (Monaco), Ms. Parado-Brillo (Philippines), Ms. Kramberger Mendek (Slovenia), Mr. Manar Taleb (Syrian Arab Republic) and Mr. Kang'ombe (Zambia) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.30 a.m. and resumed at 11.40 a.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	134
Number of invalid ballots:	0
Number of valid ballots	134
Abstentions:	2
Number of members voting:	132
Required majority:	67
Number of votes obtained:	
Ms. Mary Faherty (Ireland)	75
Mr. Brian Tamberlin (Australia)	57

Having obtained the required majority and the largest number of votes, Ms. Mary Faherty (Ireland) was elected a judge of the United Nations Appeals Tribunal for a term of office beginning on 28 January 2011 and ending on 30 June 2016.

The Acting President: I take this opportunity to extend to Judge Flaherty the congratulations of the Assembly on her appointment and to thank the tellers for their efforts.

The General Assembly has thus concluded this stage of its consideration of sub-item (g) of agenda item 113.

The meeting rose at 11.45 a.m.